

**CITY OF BEVERLY
PUBLIC MEETING MINUTES**

BOARD OR COMMISSION: Beverly Planning Board
DATE: March 15, 2022
LOCATION: Virtual Meeting via Google Meet
MEMBERS PRESENT: Chairperson Ellen Hutchinson, Sarah Bartley, Derek Beckwith, Vice-Chair Alexander Craft, Ellen Flannery, Wayne Miller, Rodney Sinclair,
MEMBERS ABSENT: Andrea Toulouse
OTHERS PRESENT: Assistant Planning Director Emily Hutchings
RECORDER: Stacia Chamberlain

Call to Order

Chairperson Hutchinson calls the meeting to order at 7:00 p.m. and reads a prepared statement introducing the meeting and noting the authority to hold a remote meeting.

Subdivision Approval Not Required Plans

- a. **None at this time**

Flannery: Moves to open the public hearing. Craft seconds. Hutchinson takes a roll-call vote. The motion carries 7-0.

Continued Public Hearing: Waiver of Frontage and Definitive Subdivision Plan – 14 Jordan Street – John Iltis and Patricia Coen-Iltis

Attorney Tom Alexander is on call. He requests on behalf of his client a continuance of this public hearing to the next regularly scheduled meeting, as the wetland study is not complete. Atty. Alexander requests, to provide the applicants with sufficient time, that the subject be continued to the April 26, 2022 meeting, rather than the April 5, 2022 meeting.

Beckwith: Moves to continue this hearing to the April 26, 2022 meeting. Flannery seconds. Hutchinson takes a roll-call vote. The motion carries 7-0.

Public Hearing: Site Plan Review #153-22 – 105 Sam Fonzo Drive, 10 LP Henderson Road – Thomas Ford

Hutchings reads the public notice. Thomas Ford; Richard Salvo, of Engineering Alliance; James Emmanuel, landscaper; and Mark Schryver, lead architect; are present on call. Mr. Ford introduces the project proposal and invites Mr. Salvo to discuss the project in detail. They invite questions from the Board.

Sinclair asks about the number of employee vehicles that will occupy the parking lot for business' operations. Mr. Ford replies that there will be at least 50 vehicles to start with. He clarifies that the entire business is not moving into the facility, only a portion of it. Hutchinson asks about the anticipated truck trips at this location, as there are six loading docks on the premises. Mr. Ford states he is unsure of exactly how many trips would be made daily. Mr. Salvo adds that the number of daily trips could be in the teens during times of high production, but they will typically not be that high.

Miller asks if they have spoken with the FAA and obstruction to the flight path with concern to

the height of the building. Mr. Salvo replies that they don't anticipate issues getting an FAA permit. Hutchinson asks if the mezzanine will be used; Mr. Salvo replies in the affirmative. Hutchinson asks why they are building for more parking than they anticipate. Mr. Schryver says that due to multiple work shifts it is logistically necessary. Miller asks if they looked into pervious pavement for the parking lot. Mr. Ford replies that due to truck traffic and sanding and salting, they have decided it would be best to use an impervious surface.

Beckwith asks who will own the facility, as Mr. Ford had mentioned the word 'tenant'. Mr. Ford clarifies that the potential tenant is planning to lease this building up to and perhaps beyond 15 years. Sinclair asks if Mr. Ford will own the building; he replies that he will own the building as well as the land.

Hutchinson asks about the stream on the property. Hutchings shares the property schematic on screen. Mr. Salvo points out the wetland in the northeast corner which is to be removed and replicated on another part of the property so as to mitigate the impact of its removal from the land. Mr. Ford describes how they have reviewed the area with the Conservation Commission.

Miller asks about the extent of external lighting in the evening. Mr. Ford replies that there will be low-level security lighting around the perimeter.

Sinclair asks how they will treat the pedestrian sidewalk crossing area in order to ensure public safety. Mr. Ford anticipates that they will treat these areas with striping. Mr. Salvo adds that they could also add signage to notify truckers to watch for pedestrians. Hutchinson adds that the Parking & Traffic Commission has not yet made comments on this yet.

Beckwith asks Mr. Ford to outline their process of outreach and discussion with neighbors. Mr. Ford provides a summary of how they conducted public engagement.

Flannery asks about what type of HVAC system will be installed on the roof. Members discuss the overall design of the building and whether green building standards will be implemented. Mr. Ford mentions that they have been in discussion with the city's Sustainability Director. Craft asks for more details about the topography of the property. Members discuss landscaping. Miller comments that he supports the work being done by the tenant in helping achieve carbon neutrality as producers of semiconductors.

Hutchinson asks Hutchings to summarize comments from other city departments and committees. Hutchings outlines these comments. Hutchinson invites public comments.

Linda Briggs, of 54 Trask Street, states her concern about the access point at Sam Fonzo Drive and L. P. Henderson Road. Mr. Ford replies that the revised plan has moved the location of the access point slightly. She also would like to know if there will be shrubbery clearing at that corner to improve visibility. Mr. Ford replies that that would be up to the Conservation Commission. Mr. Salvo adds that moving the access point, as the revised plan suggests, would enable better visibility for pedestrians.

Mr. and Mrs. Mike Petkavich on 60 Trask Street, thank the project team for their work. Mrs. Petkavich asks for there to be evergreen landscaping so that the property is attractive year-round. She agrees with Ms. Briggs' comments about concerns for pedestrians.

There being no further comments or questions from the public, but recognizing that the Planning Board requires additional information and recommendations from the Parking & Traffic Commission, the Engineering Department, and the Conservation Commission, Hutchinson welcomes a motion to continue.

Beckwith: Moves to continue this hearing to the April 5, 2022 meeting. Miller seconds. Hutchinson takes a roll call vote. The motion carries 7-0.

Craft: Motion to close the public hearing. Flannery seconds. Hutchinson takes a roll-call vote. The motion carries 7-0.

Request for Minor Modification to Site Plan Review #46-99 – 13-23 (17) Enon Street – Gensler (Michael Bech)

Robert Gulla states he is a representative for the client and is on the call to discuss an addition to one of the buildings on the site for a storage space. Hutchinson and Hutchings inform Mr. Gulla that the modification application received by and on the agenda for this evening is regarding lighting for the bank on the site. Hutchings states she was unaware of an application related to a building addition, and she and Mr. Gulla discuss where a miscommunication with the Building Department may have occurred. Mr. Gulla replies that he will get back in touch with Hutchings.

Julie Reker, representing Gensler, and Bill Sharkey, architect for Bank of America, are on call to present the proposed plans. Ms. Reker states that this plan is designed to provide adequate exterior lighting for customers and shares the design schematics on screen. Craft asks whether the mature tree on the site would be removed for the proposed light pole. Mr. Reker confirms it would. Craft asks if the tree could be replaced on any area of the site. Craft and Ms. Reker discuss the site and locations of existing trees. Mr. Sharkey suggest that the bank would be willing to install other landscaping on other parts of the site, potentially some type of shrubbery. Mr. Sharkey discusses the limitations of the site in terms of landscaping. Craft asks how tall the light pole will be, and Mr. Sharkey states it will be 25 feet high, slightly higher than the building. Craft confirms the light will be facing the building rather than the street.

Miller asks if Bank of America would be willing to support the planting of trees elsewhere. He also asks if the lighting will be motion-activated. Ms. Reker says that these are not motion-activated lights, although they are LED and Dark Sky Compliant. Miller encourages the company to look at solar lighting. Ms. Reker and Mr. Sharkey stated they can discuss this with the bank. Sinclair asks for clarification about Dark Sky Compliance. Ms. Reker summarizes how lighting can be made compliant and the goal of not contributing to light pollution. Sinclair asks whether the lighting is part of a larger security plan. Ms. Reker states it is about simple safety. Mr. Sharkey adds that many states have lighting requirements for banks to ensure safety, and that Bank of America has establish standard safety protocols to ensure compliance in all situations.

Miller asks if there is a way for neighbors to have grievances heard in the case that they are bothered by the lighting. Mr. Sharkey and Ms. Reker discuss and think that perhaps the public could reach out to the bank or the building owner and they would do their best to address it. Hutchinson asks Mr. Sharkey about how landscaping might be done to make up for the loss of the mature tree. Mr. Sharkey replies that he does not have a concrete plan in place for the landscape replacement, but it will be prioritized. Hutchinson asks Hutchings if the Board could

approve the modification with the condition of an updated landscape plan. Hutchings confirms how this could be done, and that the updated landscaping could be approved administratively. Beckwith expresses his concern about the fact that the property owner does not seem to have provided consent on this application. Members discuss this issue and Mr. Sharkey and Ms. Reker clarify how approval was provided.

Bartley returns to the subject of the landscaping and asks if Board members are comfortable allowing the deferment of the decision regarding landscaping to the Planning Department. Members discuss whether the landscaping could be approved administratively. Hutchinson discusses the process of considering whether the application is a minor modification, which she believes it is. She suggests that an updated landscaping plan could be reviewed and approved administratively by the Planning Department.

Beckwith: Motion to deem the modification to Site Plan Review #46-99 at 13-23 (17) Enon Street a minor modification. Miller seconds. Hutchinson takes a roll-call vote. The motion carries 7-0.

Beckwith: Motion to approve the minor modification to Site Plan Review #46-99 at 13-23 (17) Enon Street with the condition that the applicant submits a revised landscape plan to the Planning Department for review and approval. Flannery seconds. Hutchinson takes a roll-call vote. The motion carries 7-0.

Request to Release Covenant without Establishing a Performance Bond: Definitive Subdivision Plan – Livingstone Avenue Extension (9 Porter Terrace only) – 7 Porter Terrace LLC, c/o Alexander & Femino

Thomas Alexander, attorney for the client, is on call to discuss the proposed project. Hutchinson asks Hutchings if the Planning Department approves of the request. Hutchings says they do.

Flannery: Motion to release the parcel at 9 Porter Terrace from the Form G Covenant for the Definitive Subdivision Plan for Livingstone Avenue Extension without the establishment of a Performance Bond. Beckwith seconds. Hutchinson takes a roll-call vote. The motion carries 7-0.

Set Public Hearings

- a. **None at this time**

Approval of Minutes

- a. **February 15, 2022**

Board members review the minutes and have offered comments and/or corrections.

Beckwith: Motion to approve the minutes from the meeting on February 15, 2022, as amended. Miller seconds. Hutchinson takes a roll-call vote. The motion carries 7-0.

Other / New business

- a. The Board discusses whether future meetings (through July 15, 2022) will be conducted virtually or in-person. Miller states his preference for virtual meetings. Hutchinson adds that she prefers in-person meetings. Beckwith agrees with Hutchinson, and they both express the importance of the ability of the public to participate. Bartley thinks that in-

person meetings seem to be conducted in a more orderly manner, especially meetings for which they have agenda items with significant public interest. Hutchinson points out that virtual-only meetings are only permitted by the state of Massachusetts through July 15, 2022, and that without further legislation from the state, meetings after that date must be in-person. Miller states he thinks that virtual meetings can provide good access to the public, but that hybrid meetings are not a good option due to the City's inability to host hybrid meetings. Members decide that for the upcoming April 5, 2022 meeting, it would be appropriate to host a virtual meeting. Future meetings will be considered on a case-by-case basis.

- b. Miller states that it might be a nice courtesy for people seeking simple things from the Planning Board, like a release of covenant, for the Board to rearrange the agenda so as to prioritize these hearings out of respect for the applicants' time. Members discuss this briefly.

Adjournment

Flannery: Motion to adjourn at 9:29 p.m. Miller seconds. The motion carries 7-0.

The next regular meeting of the Beverly Planning Board will take place on Tuesday, April 5, 2022, and will be held virtually via Google Meet.